

REMARKS

In response to the Office Action mailed June 27, 2003, the Applicants respectfully request the Examiner to consider the following remarks and amendments.

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-41 are pending. Claims 1-35 and 38-41 stand rejected. Claims 36 and 37 have been withdrawn. The claims 1, 14, 23, and 38 were currently amended to clarify the language of the claim and are not intended to narrow the scope. Support for the amendments are found in the specification, the drawings and in the claims as originally filed. Applicants respectfully submit that the amendments do not add new matter.

Rejections Under 35 U.S.C. § 102(e)

Claims 1-5, 7-13, 15-18, 20-27, 29-35 and 38-40 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,469,711 of Foreman et al. ("Foreman").

Foreman discloses a graphical user interface for a computer-assisted motion video editing system that directs a user through the process of editing a video program, including planning (storyboarding), capturing the video information, editing the video information and exporting the video information to a final data file or a video tape (Foreman abstract, col. 4, lines 7-12). In the process of editing, the user is directed through the steps of editing the primary content of the video program, adding effects at transitions between video clips, adding titles and credits and, finally, editing sound (col. 4, lines 14-20).

Furthermore, the office action mailed June 27, 2003 states that since "applicant did not limit the attributes to only 'size, color, or exposure', Foreman does teach 'accessing a plurality of presentation images having inconsistent presentation attributes', by allowing merging of the clips that have redundant data with clips that have empty date (col. 8, lines 16-24)."

The applicants respectfully disagree. The merging of the clips that have redundant data with clips that have empty data as disclosed in Foreman merges *two data structures for the same shot* (while the two data structures “may have redundant data, the redundant data clearly can be omitted and can be represented in only one of the structures or only once in a combined structure,” (Foreman, col. 8, lines 24-28)). For example, shot 1 may be described using data structure 1 and data structure 2. Data structure 1 includes attribute A, attribute B, and attribute C. Data structure 2 includes attribute B and attribute D. In Foreman, data structure 1 and data structure 2 may be merged into a data structure 3 with attribute A, attribute B, attribute B attribute C, and attribute D. Data structure 3 includes attribute B as redundant data, which clearly may be omitted. Nevertheless, merging data structures for *a single shot*, as disclosed in Foreman, is not the same as organizing *a plurality of presentation images* in a visual presentation as claimed.

Furthermore, merging the data structures as disclosed in Foreman is not the same as “modifying the presentation images to have consistent presentation images.” Merging the data structures, as disclosed in Foreman, creates a data structure for the single shot with the attribute values *unchanged* and hence the single shot is not modified to become consistent with other images. Typically motion video, as disclosed in Foreman, is consistent in that each frame/shot of video is of the same presentation attributes and therefore need not be modified to have consistent presentation attributes.

Accordingly, Applicants submit that claim 1, as amended, is not anticipated by Foreman under 35 USC §102(e) and respectfully request the rejection of claim 1 be withdrawn. Independent claims 14, 23 and 38 include similar limitations. Therefore, Applicants respectfully submit that, at least for the reasons stated above, claims 14, 23 and 38 are not anticipated by Foreman under 35 USC §102(e) and respectfully request the rejection of these claims be

withdrawn. Claims 2-13, 15-22, 24-35 and 39-41 are dependent on one of the claims 1, 14, 23 and 38. Therefore, at least for the reasons stated above, the Applicants respectfully request the rejection of these claims be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

Claims 6, 19, 28 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Foreman in view of U.S. Patent No. 5,940,806 of Danial ("Danial").

As articulated above, claims 1, 14, 23 and 38, as amended, are patentable over Foreman. Danial fails to cure the underlying deficiencies of Foreman, including the failure to teach a system or method that provide presentation images having inconsistent presentation attributes as discussed above. Hence, claims 6, 19, 28 and 41 are patentable over this combination of references. Therefore, at least for the reasons stated above, the Applicants respectfully request the rejection of these claims be withdrawn.

Applicants respectfully request reconsideration of the application and submit that the rejections have been overcome by the remarks, and that the claims are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims be allowed.


The Examiner is invited to call the undersigned at 408-720-8300 if there remains any issue with allowance of this application.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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